

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

HODA, L.L.C.

vs.

JOHN HANCOCK REAL ESTATE
FINANCE, INC. and JOHN HANCOCK
LIFE INSURANCE COMPANY

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CIVIL ACTION NO. 3-08-CV-1482-D

RESPONSE OF HODA, L.L.C. TO MOTION TO DISMISS
OF JOHN HANCOCK DISTRIBUTORS, L.L.C.

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Plaintiff, HODA, L.L.C., and submits this its Response to Defendant John Hancock Distributors, L.L.C.'s Motion to Dismiss.

I.

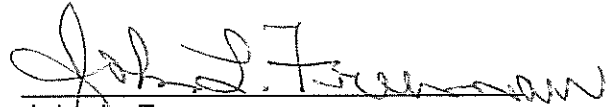
HODA, L.L.C. does not oppose the Motion to Dismiss submitted by Defendant John Hancock Distributors, L.L.C.

II.

This Response by HODA, L.L.C. is made without prejudice to its claims against Defendant John Hancock Real Estate Finance, Inc. and Defendant John Hancock Life Insurance Company, both of whom have filed Answers herein, and without prejudice to adding other appropriate parties or to seeking leave to amend.

WHEREFORE, PREMISES CONSIDERED, HODA, L.L.C. requests the Court to take note of this Response and grant it all other and further relief to which it may be entitled.

Respectfully submitted,




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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing instrument has been served upon all counsel of record in accordance with the Federal Rules of Civil Procedure on this the 17th day of September, 2008.


John L. Freeman

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